

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 09-1604(DSD/RLE)

Hanifi Marlow Jihad,

Plaintiff,

v.

ORDER

Commissioner Joan Fabian,
Assistant Commissioner
David Crist, MCF-Stillwater
Warden John King, Assoc.
Warden Eddie Miles, Program
Director Bruce Julson, Program
Director David Reishus,
Religious Cord. Gregory Skrypek,
Chaplain Norris Blackmon, and
Assoc. Warden Michelle Smith,

Defendants.

This matter is before the court upon plaintiff's pro se objection to the report and recommendation of Magistrate Judge Raymond L. Erickson dated March 30, 2010. In his report, the magistrate judge recommends that plaintiff's second motion for a temporary restraining order be denied because it is not related to the claims presented in plaintiff's second amended complaint and, even if it were related, plaintiff cannot succeed on the merits of his claim.

The court reviews the report and recommendation of the magistrate judge de novo. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2(b). After a de novo review, the court determines that plaintiff has set forth no factual or legal

basis that warrants departure from the magistrate judge's report and recommendation. Further, the court finds that the magistrate judges's report is well reasoned and correctly disposes of plaintiff's motion. Accordingly, **IT IS HEREBY ORDERED** that plaintiff's objection is overruled and the court adopts the magistrate judge's report and recommendation [Doc. No. 110] in its entirety.

Dated: May 4, 2010

s/David S. Doty
David S. Doty, Judge
United States District Court